

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

UNITED STATES OF AMERICA

v. No. 4:05CR00305 (12, 13, 17, 26 & 34) SWW

JASON CHRISTOPHER CALICOTT, ET AL.

AMENDED PRELIMINARY ORDER OF FORFEITURE
Fed.R.Crim.P. 32.2(b)

1. On December 7, 2005, the grand jury returned an indictment that included two forfeiture allegations.
2. Forfeiture Allegation 1 sought the forfeiture of the following items, pursuant to Title 21, United States Code, Section 853:

FIREARMS AND AMMUNITION:

- A. one Taurus 38 Special, .38 caliber revolver and ammunition, serial number VH38274, seized on March 18, 2004 from **Jason Christopher Calicott, a/k/a Kool Aid, and Louis Austin Graham, and Shawn M. King** in Little Rock, Arkansas;
- B. one Baretta 9mm Model 92FS, serial number BER297442, seized on March 18, 2004 from **Jason Christopher Calicott, a/k/a Kool Aid, Louis Austin Graham, and Shawn M. King** in Little Rock, Arkansas;
- C. one Rock Island Armory .45 caliber firearm, serial number RIA914209, seized on March 18, 2004 from **Jason Christopher Calicott, a/k/a Kool Aid, Louis Austin Graham, and Shawn M. King** in Little Rock, Arkansas;
- D. one Remington 870 Express 12 gauge shotgun, serial number D603902M, seized on March 18, 2004 from **Jason Christopher Calicott, a/k/a Kool Aid, Louis Austin Graham, and Shawn M. King** in Little Rock, Arkansas;
- E. one Mossberg Maverick 88, 12 gauge shotgun, serial number MV59264J, seized on March 18, 2004 from **Jason Christopher Calicott, a/k/a Kool Aid, Louis Austin Graham, and Shawn M. King** in Little Rock, Arkansas;
- F. one Winchester Model 70, 7mm firearm, serial number G2255410, seized on March 18, 2004 from **Jason**

Christopher Calicott, a/k/a Kool Aid, Louis Austin Graham, and Shawn M. King in Little Rock, Arkansas; one Glock 40 caliber handgun, serial number DUA407US, seized on April 4, 2005, from Paul Lee Oglesby in Maumelle, Arkansas;

H. one Keltek 40 caliber, serial number 83048, seized on April 8, 2005 from Jason Christopher Calicott, a/k/a Kool Aid, in Little Rock, Arkansas;

I. one Davis Arms .32 caliber pistol with clip, serial number 508614, seized on March 18, 2004 from Jason Christopher Calicott, a/k/a Kool Aid, Louis Austin Graham, and Shawn M. King in Little Rock, Arkansas;

J. one Colt .25 caliber pistol, serial number 11045, seized on March 18, 2004 from Jason Christopher Calicott, a/k/a Kool Aid, Louis Austin Graham, and Shawn M. King in Little Rock, Arkansas;

K. one Bauer .25 caliber pistol with clip, serial number 025651, seized on March 18, 2004 from Jason Christopher Calicott, a/k/a Kool Aid, Louis Austin Graham, and Shawn M. King in Little Rock, Arkansas;

L. one Raven .25 caliber pistol with clip, serial number 1816314, seized on March 18, 2004 from Jason Christopher Calicott, a/k/a Kool Aid, Louis Austin Graham, and Shawn M. King in Little Rock, Arkansas;

M. one Rossi rifle/shotgun .22 caliber and .410, serial number SP487197, seized on March 18, 2004 from Jason Christopher Calicott, a/k/a Kool Aid, Louis Austin Graham, and Shawn M. King in Little Rock, Arkansas;

N. one Intertec Luger 9mm, Model Tec-DC9, serial number D002084, seized on March 18, 2004 from Jason Christopher Calicott, a/k/a Kool Aid, Louis Austin Graham, and Shawn M. King in Little Rock, Arkansas;

O. one Heritage Rough Rider .22 caliber pistol, serial number JR27755, seized on August 7, 2005 from Timothy Mark Ison in Little Rock, Arkansas;

3. Forfeiture Allegation 2 sought the forfeiture of the following items, pursuant to Title 18, United States Code, Section 982(a)(1):

1. All money and other property that was the subject of each transaction, transportation, transmission or transfer in violation of Section 1956;

2. All commissions, fees and other property constituting proceeds obtained as a result of these violations; and
3. All property used in any manner or part to commit or to facilitate the commission of those violations, including but not limited to: wire transfers and financial institution deposits totaling approximately \$ 140,000.00.

4. On March 14, 2006, defendant Shawn Luepkes pled guilty to a Superseding Information and agreed to forfeit the items set forth in Paragraph 2 of this Order in addition to the following:

U. S. CURRENCY:

- A. Approximately \$4,226.00 seized on March 18, 2004, from **Jason Christopher Calicott, a/k/a Kool Aid**, and **Lewis Austin Graham**, and **Shawn M. King**, in Little Rock, Arkansas;
- B. Approximately \$1,240.00 seized on April 4, 2005 from **Paul Lee Oglesby** in Maumelle, Arkansas;
- C. Approximately \$4,185.00 seized on April 8, 2005 from **Jason Christopher Calicott, a/k/a Kool Aid**, and in Little Rock, Arkansas;

5. On March 30, 2006, the Court entered a Preliminary Order of Forfeiture directing defendant Luepkes to forfeit the items set forth in Paragraph 4 of this Order.

6. A. On August 25, 2006, defendant Jason Christopher Calicott pled guilty and agreed to forfeit the items set forth in Paragraph(s) 2 and 3 of this Order.

B. On September 5, 2006, defendant Dawn Elizabeth Anzalone pled guilty and agreed to forfeit the items set forth in Paragraph 2 of this Order.

C. On August 31, 2006, defendant Terry Glen Birdwell pled guilty and agreed to forfeit the items set forth in Paragraph 2 of this Order.

D. On August 24, 2006, defendant Larry Branum pled guilty and agreed to forfeit the items set forth in Paragraph(s) 2 and 3 of this Order.

E. On August 23, 2006, defendant Cynthia Lee Brown pled guilty and agreed to forfeit the items set forth in Paragraph(s) 2 and 3 of this Order.

F. On August 10, 2006, defendant Christopher Stephen Brucks pled guilty and agreed to forfeit the items set forth in Paragraph 2 of this Order.

G. On August 31, 2006, defendant Cynthia C. Calicott pled guilty and agreed to forfeit the items set forth in Paragraph(s) 2 and 3 of this Order.

H. On August 10, 2006, defendant Kristy Castelli pled guilty and agreed to forfeit the items set forth in Paragraph(s) 2 and 3 of this Order.

I. On August 10, 2006, defendant Luetta Faye Garnett pled guilty and agreed to forfeit the items set forth in Paragraph(s) 2 and 3 of this Order.

J. On August 2, 2006, defendant Patrick R. Gentry pled guilty and agreed to forfeit the items set forth in Paragraph(s) 2 and 3 of this Order.

K. On August 31, 2006, defendant Lewis Austin Graham pled guilty and agreed to forfeit the items set forth in Paragraph(s) 2 and 3 of this Order.

L. On August 31, 2006, defendant Jerry Alan Grissom pled guilty and agreed to forfeit the items set forth in Paragraph 2 of this Order.

M. On August 31, 2006, defendant Cyndia Natasha Hammett pled guilty and agreed to forfeit the items set forth in Paragraph(s) 2 and 3 of this Order.

N. On July 6, 2006, defendant Joe Edward Hammett pled guilty and agreed to forfeit the items set forth in Paragraph 2 of this Order.

O. On August 23, 2006, defendant Chucky Don Hartwick pled guilty and agreed to forfeit the items set forth in Paragraph 3 of this Order.

P. On August 24, 2006, defendant James Frederic Howard pled guilty and agreed to forfeit the items set forth in Paragraph 2 of this Order.

Q. On September 5, 2006, defendant Timothy Mark Ison pled guilty and agreed to forfeit the items set forth in Paragraph(s) 2 and 3 of this Order.

R. On August 17, 2006, defendant Krystal Dawn Journigan pled guilty and agreed to forfeit the items set forth in Paragraph 2 of this Order.

S. On September 5, 2006, defendant Shawn M. King pled guilty and agreed to forfeit the items set forth in Paragraph 2 of this Order.

T. On September 8, 2006, defendant Mark Duane Lee pled guilty and agreed to forfeit the items set forth in Paragraph(s) 2 and 3 of this Order.

U. On September 5, 2006, defendant Holly Danielle Longoria pled guilty and agreed to forfeit the items set forth in Paragraph(s) 2 and 3 of this Order.

V. On March 14, 2006, defendant Shawn Luepkes pled guilty and agreed to forfeit the items set forth in Paragraph 2 of this Order.

W. On August 17, 2006, defendant James Samuel Mitchell pled guilty and agreed to forfeit the items set forth in Paragraph 2 of this Order.

X. On August 24, 2006, defendant Meagan Elizabeth Montgomery pled guilty and agreed to forfeit the items set forth in Paragraph 2 of this Order.

Y. On August 21, 2006, defendant Paul Lee Oglesby pled guilty and agreed to forfeit the items set forth in Paragraph 2 of this Order.

Z. On August 10, 2006, defendant Frederick W. Robinson pled guilty and agreed to forfeit the items set forth in Paragraph 2 of this Order.

AA. On August 24, 2006, defendant Peggy Lucille Rodriguez pled guilty and agreed to forfeit the items set forth in Paragraph 2 of this Order.

BB. On August 29, 2006, defendant Burlie Wade Rogers pled guilty and agreed to forfeit the items set forth in Paragraph 2 of this Order.

CC. On August 9, 2006, defendant Samuel Baxter Sanders pled guilty and agreed to forfeit the items set forth in Paragraph(s) 2 and 3 of this Order.

DD. On August 30, 2006, defendant Jefferson Van Allen pled guilty and agreed to forfeit the items set forth in Paragraph(s) 2 and 3 of this Order.

IT IS HEREBY ORDERED THAT:

7. As the result of the guilty pleas and stipulations for forfeiture referred to above, in addition to the evidence already in the record, the following defendants shall forfeit to the United States the property set forth in paragraph 2 of this Order, pursuant to Title 21, United States Code, Section 853:

Jason Christopher Calicott
Dawn Elizabeth Anzalone
Terry Glen Birdwell
Larry Branum
Cynthia Lea Brown
Christopher Stephen Brucks
Cynthia C. Calicott
Kristy Castelli
Luetta Faye Garnett
Patrick R. Gentry
Lewis Austin Graham
Jerry Alan Grissom

Cynda Natasha Hammett
Joe Edward Hammett
James Frederic Howard
Timothy mark Ison
Krystal Dawn Journigan
Shawn M. King
Mark Duane Lee
Holly Danielle Longoria
Shawn Luepkes
James Samuel Mitchell
Meagan Elizabeth Montgomery
Paul Lee Oglesby
Frederick W. Robinson
Peggy Lucille Rodriguez
Burlie Wade Rogers
Samuel Baxter Sanders
Jefferson VanAllen

8. As the result of the guilty pleas and stipulations for forfeiture referred to above, in addition to the evidence already in the record, the following defendants shall forfeit to the United States the property set forth in paragraph 3 of this Order, pursuant to Title 18, United States Code, Section 982(a)(1):

Jason Christopher Calicott
Larry Branum
Cynthia Lea Brown
Cynthia C. Calicott
Kristy Castelli
Luetta Faye Garnett
Patrick R. Gentry
Lewis Austin Graham
Cynda Natasha Hammett
Chucky Don Hartwick
Timothy Mark Ison
Mark Duane Lee
Holly Danielle Longoria
Samuel Baxter Sanders
Jefferson VanAllen

9. Upon the entry of this Order, the United States Attorney General (or a designee) is authorized to seize the above listed property and to conduct any discovery proper in identifying, locating, or disposing of the property subject to forfeiture, in accordance with Fed.R.Crim.P. 32.2(b)(3).

10. Upon entry of this Order, the United States Attorney General (or a designee) is authorized to commence any applicable proceeding to comply with statutes governing third party rights, including giving notice of this Order.

11. The United States shall publish notice of the order and its intent to dispose of the property in such a manner as the United States Attorney General (or a designee) may direct. The United States may also, to the extent practicable, provide written notice to any person known to have an alleged interest in the Subject Property.

12. Any person, other than the above named defendant, asserting a legal interest in the Subject Property may, within thirty days of the final publication of notice or receipt of notice, whichever is earlier, petition the Court for a hearing without a jury to adjudicate the validity of his alleged interest in the Subject Property, and for an amendment of the order of forfeiture, pursuant to Title 21 U.S.C. §853(n)(2).

13. Pursuant to Fed.R.Crim.P. 32.2(b)(3), this Preliminary Order of Forfeiture shall become final as to the defendants at

the time of sentencing and shall be made part of the sentence of the defendants, and included in the judgments. If no third party files a timely claim, this Order shall become the Final Order of Forfeiture, as provided by Fed.R.Crim.P. 32.2(c)(2).

14. Any petition filed by a third party asserting an interest in the Subject Property shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in the Subject Property, the time and circumstances of the petitioner's acquisition of the right, title, or interest in the Subject Property, any additional facts supporting the petitioner's claim and the relief sought.

15. After the disposition of any motion filed under Fed.R.Crim.P. 32.2(c)(1)(A) and before a hearing on the petition, discovery may be conducted in accordance with the Federal Rules of Civil Procedure upon a showing that such discovery is necessary or desirable to resolve factual issues.

16. The United States shall have clear title to the Subject Property following the Court's disposition of all third-party interests, or, if none, following the expiration of the period provided in 21 U.S.C. § 853(n)(2) for the filing of third party petitions.

17. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed.R.Crim.P. 32.2(e).

SO ORDERED this 27th day of November, 2006.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE